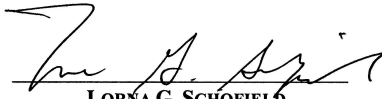


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LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

November 23, 2020

The Honorable Lorna G. Schofield
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

The application is GRANTED. The initial pre-trial conference ("IPTC") is hereby adjourned from December 3, 2020, at 10:30 A.M. to **December 17, 2020, at 10:30 A.M.** The IPTC materials, as listed in the Order at Dkt. No. 9, shall be filed on ECF by **December 10, 2020.**

SO ORDERED.

Dated: November 24, 2020

New York, New York

Re: 1:20-cv-07928-LGS- Plaintiff's Request to Adjourn the Initial Pretrial Conference Scheduled for December 3, 2020 at 10:30 AM

Dear Judge Schofield,

The James Law Firm, PLLC represents Plaintiff in the above captioned matter. This matter has been filed as a John Doe against the internet subscriber assigned IP address 96.250.252.238. Plaintiff respectfully requests an adjournment of the Status Conference currently scheduled for December 3, 2020 at 10:30 a.m. and for the resetting of all proposed scheduling deadlines until after the Defendant is named and served.

On September 24, 2020, Plaintiff filed the instant case against John Doe subscriber assigned IP address 96.250.252.238 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol [CM/ECF 1]. Because Defendant is only known to Plaintiff by Defendant's IP address, on September 30, 2020, Plaintiff filed a Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference in order to serve a third party subpoena on Defendant's ISP. [CM/ECF 6].

On October 5, 2020, Plaintiff was granted leave to serve a third-party subpoena on Defendant's ISP to obtain Defendant's identifying information. [CM/ECF 8]. Plaintiff served the subpoena on Defendant's ISP on or about October 6, 2020 and, in accordance with the time allowances provided to both the ISP and the Defendant, expects to receive the ISP response on or about December 7, 2020.

Pursuant to the Court's October 5, 2020 Order, the Initial Pretrial Conference is scheduled for December 3, 2020 at 10:30 a.m. [CM/ECF 9]. Prior to the conference, the parties are required to confer and submit to the Court a proposed Case Management Plan and Scheduling Order. Because Defendant has not been identified and served, Plaintiff is unable to anticipate the specific information required in the proposed Case Management Plan and Scheduling Order, including issues such as timing, electronic discovery, or even whether Plaintiff will ultimately proceed against Defendant.

November 23, 2020

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For the foregoing reasons, Plaintiff respectfully requests for an adjournment of the pretrial conference currently scheduled for December 3, 2020 at 10:30 a.m. until after the Defendant has been served with the summons and Complaint.

Respectfully Submitted,

By: /s/Jacqueline M. James
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